

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

ROBERT BURCICKI, WILLIAM BURR,
PAUL CZEKIS, GEORGE DEGRAEVE,
FRANK ZAPARANUK, LEONARD KUK,

Plaintiffs and Counter Defendants,

Hon. Gerald E. Rosen

Case No. 02-70230

v.

NEWCOR, INC., a Delaware corporation,
and NEWCOR M-T-L, INC., a
Michigan corporation,

Defendants and Counter-Plaintiffs.

Roger J. McCLOW (P27170)
KLIMIST, McKNIGHT, SALE,
McCLOW & CANZANO, P.C.
Attorneys for Plaintiffs
400 Galleria Officentre, Suite 117
Southfield, MI 48034
(248) 354-9650 Fax (248) 354-9656
Email: rmcclow@kmsmc.com

Attorneys for Plaintiffs

Mark T. Nelson (P27305)
BUTZEL LONG,
a professional corporation
Attorneys for Defendants
350 S. Main Street, Suite 300
Ann Arbor, MI 48104
(734) 213-3606 Fax (734) 995-1777
Email: nelsonm@butzel.com

Attorneys for Defendants

FINAL JUDGMENT AND ORDER OF DISMISSAL

This matter comes before the Court for approval of the Settlement Agreement dated May 2, 2011. Newcor, Inc. and the *Burcicki* Plaintiffs, as those terms are defined in the Settlement Agreement, have asked this Court to approve the Settlement Agreement and to retain jurisdiction to administer and enforce the terms of the Settlement Agreement. The Court, having considered the Settlement Agreement and its Exhibits, all papers filed and proceedings had herein and otherwise being fully advised of the premises, and good cause appearing therefore, it is hereby

ORDERED, ADJUDGED AND DECREED THAT:

1. This Court has jurisdiction over the subject matter of this litigation and over all parties to the Settlement Agreement, including Newcor, Inc. and the *Burcicki* Plaintiffs.
2. This Court approves the terms of the settlement set forth in the Settlement Agreement and orders Newcor, Inc. to comply with the terms of the Settlement Agreement as to the *Burcicki* Plaintiffs.
3. This Court hereby dismisses, with prejudice, each and every claim and each and every counterclaim in the above captioned cases relating to Medical Insurance Benefits, as that term is defined in the Settlement Agreement, and which does not arise out of the Settlement Agreement.
4. The Newcor Parties are released and forever discharged from any and all rights, claims or causes of action, whether known or unknown, which any *Burcicki* Plaintiff, or anyone claiming on behalf of any *Burcicki* Plaintiff, has or may have against any of the Newcor Parties, with respect to Medical Insurance Benefits or the changing of Medical Insurance Benefits, that were or could have been asserted by the *Burcicki* Plaintiffs.
5. All *Burcicki* Plaintiffs are released and forever discharged from any and all rights, claims, counterclaims or causes of action, whether known or unknown, which the Newcor Parties have or may have against any of the *Burcicki* Plaintiffs with respect to the payment of Medical

Insurance Benefits, that were or could have been asserted by the Newcor Parties. The Newcor Parties and anyone claiming on behalf of a Newcor Party, are forever barred from instituting or prosecuting, either directly or indirectly, any such claims or causes of action against any of the Plaintiffs.

6. Neither the entry into the Settlement Agreement nor the consent to this Judgment is, or may be construed as, an admission by or against the Newcor Parties, the *Burcicki* Plaintiffs of any wrongdoing or liability. The Settlement Agreement, this Judgment and any documents related to any of the foregoing shall not be introduced in evidence in any proceeding against the Newcor Parties, the *Burcicki* Plaintiffs in any Court or agency or other tribunal for any purpose except to enforce the terms of the Settlement Agreement or this Judgment.

7. Within 30 days of the Effective Date of this Final Judgment, as that term is defined in the Settlement Agreement, Plaintiffs' Counsel shall send each *Burcicki* Plaintiff a Notice of Opportunity to File Damage Claim in the form of Exhibit G and a Claim Form in the form of Exhibit H to the Settlement Agreement.

8. Without affecting the finality of this Judgment in any way, this Court hereby retains continuing jurisdiction over all parties hereto for the purposes of administering and enforcing the Settlement Agreement as to the *Burcicki* Plaintiffs.

s/Gerald E. Rosen
Chief Judge, United States District Court

Dated: June 29, 2011

I hereby certify that a copy of the foregoing document was served upon counsel of record on June 29, 2011, by electronic and/or ordinary mail.

s/Ruth A. Gunther
Case Manager